



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

T.P

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,086	12/06/2000	Eric H. Rudolph	MSI-641US	3092
22801	7590	06/30/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EL CHANTI, HUSSEIN A	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/732,086	RUDOLPH, ERIC H.
Examiner	Art Unit	
Hussein A. El-chanti	2157	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

1. This action is responsive to response received on May 3, 2006. Claims 12-39 were canceled. Claims 1-11 are pending examination.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al., U.S. Patent No. 6,421,733 (referred to hereafter as Tso).

Tso teaches the invention substantially as claimed including a method of checking a local cache for a requested file before sending a request to a network location (see abstract).

As to claim 1, Tso teaches a method of processing a multi-media editing project comprising:

generating a request for one or more multi-media files for use in a multi-media editing project, the request being generated by a user computer that comprises part of a network where multi-media files are maintained in a network-accessible location (see col. 14 lines 11-20, user generates a request to check if file exists in local cache);

intercepting the request (see col. 14 lines 11-20);

ascertaining whether a requested multi-media file is located on the user computer by checking one or more user designated directories for the multimedia file

(see col. 14 lines 21-36, a determination is made whether the file exists in the local cache);

retrieving the multi-media file if the file is located on the user computer (see col. 14 lines 21-36, the file is retrieved from a web location if the file is not found on the local cache); and

seeking the requested file from the network-accessible location if the multi-media file is not located on the user computer (see col. 14 lines 36-56, the file is retrieved from a web location if the file is not found on the local cache).

However Tso does not explicitly teach the limitation “specifying a path name for one or more designated directories”. It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Tso’s teaching of creating and retrieving entries in the cache by specifying the path name of the directories because doing so would have the same functionality which is to determine the existence of the requested files on the client computer before retrieving the file from a remote network location.

As to claim 2, Tso teaches the method of claim 1 further comprising asking a user to designate a local directory if a requested file is not found on the user computer (see col. 14 lines 21-36).

As to claim 3, Tso teaches the method of claim 1 further comprising asking a user to designate a local directory if a requested file is not found on the user computer, and then searching for the requested file in a designated local directory before seeking the requested file from the network-accessible location (see col. 14 lines 21-36).

As to claim 4, Tso teaches the method of claim 1 wherein said ascertaining comprises checking various predetermined file directories on the computer's hard drive (see col. 14 lines 21-36).

As to claim 5, Tso teaches the method of claim 1, wherein said ascertaining comprises: maintaining a list of directories where multi-media files have been stored in the past; and checking directories on the list for the requested one or more files (see col. 14 lines 21-36).

As to claim 6, Tso teaches the method of claim 1, wherein said ascertaining comprises: maintaining a list of directories where multi-media files are stored; and checking directories on the list for the requested one or more files (see col. 14 lines 21-36).

As to claim 7, Tso teaches the method of claim 1, wherein said ascertaining comprises: maintaining a list of directories where multi-media files have been stored in the past or are presently stored; and checking directories on the list for the requested one or more files (see col. 14 lines 21-36)

As to claim 8, Tso teaches the method of claim 1 further comprising: maintaining a list of directories where multi-media files are stored; and updating the list responsive to receiving and storing a multi-media file in a local directory that is not on the list (see col. 14 lines 21-60).

As to claim 9, Tso teaches the method of claim 1 further comprising: maintaining a list of directories where multi-media files are stored; and updating the list responsive to a user designating a local directory that is not on the list (see col. 14 lines 21-60).

As to claim 10, Tso teaches one or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, implement the method of claim 1 (see col. 14 lines 21-60).

As to claim 11, Tso teaches a multi-media project editing application configured for execution on a user computer, the application being configured to implement the method of claim 1 (see col. 14 lines 21-60).

***Response to Arguments***

3. Applicant's arguments have been fully considered but are not persuasive. Applicant argues in substance that Tso does not disclose specifying a path name for one or more designated directories.

In response, Tso teaches a system and method for displaying requested content to a user by checking the local cache to determine whether the requested content exists. If the requested content is not located on the client machine, then the request is sent to a server to obtain the requested content. Examiner agrees with applicant's argument that Tso does not explicitly teach the user specifying a path name for one or more designated directories. However, examiner took official notice in the non-final office action mailed on Feb. 11, 2005 that it would have been obvious for one of the ordinary skill in the art at the time of the invention to allow the user to specify a path name for one or more designated directories. Examiner provides U.S. Patent No. 7,062,567 (Benitez et al., referred to hereafter as Benitez) to show evidence that it is well known in the art for a user to specify user designated directories. Benitez teaches a system and method for installing an application in a directory specified by the client.

When the client requests a page or file associated with the application, the directory in which the application is installed is checked; if the file does not exist in the directory, then the request is sent to the server to retrieve the requested file (see col. 17 lines 6-11 and lines 47-65, col. 21 lines 17-30 and col.31 lines 4-10). Benitez also suggests that one of the ordinary skill in the art would check the local directories before checking the server for requested files because doing so would allow faster lookup of the file and increase the performance significantly (see col. 31 lines 4-10).

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**5.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein El-chanti

June 21, 2006



ARIO ETIENNE  
USPTO PATENT EXAMINER  
JUN 21 2006